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Ange Luppi

P/3255-103

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7590

08/27/2010

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EXAMINER

MAYO-PINNOCK, TARA LEIGH

ART UNIT

PAPER NUMBER

3671

MAIL DATE

DELIVERY MODE

08/27/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |                                     |  |
|------------------------------|--------------------------------------|-------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/593,211 | <b>Applicant(s)</b><br>LUPPI ET AL. |  |
|                              | <b>Examiner</b><br>TARA MAYO-PINNOCK | <b>Art Unit</b><br>3671             |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2010.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 15 and 16 is/are rejected.
- 7) ☒ Claim(s) 8-14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 June 2010 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

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## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

2. The drawings were received on 22 June 2010. These drawings are acceptable.

### ***Specification***

3. The prior objection to the Abstract has been overcome by the corrected Abstract filed 22 June 2010.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1 through 7, 15 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Maloberti et al. (U.S. Patent No. 4,906,137 A).

Maloberti et al. '137, as best illustrated in Figures 1 through 4, disclose a method for starting up a flow line (3) suitable for conveying hydrocarbons, said flow line being extended

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over the seabed from a wellhead (2) and terminating at a joint end, said joint end being suitable for connection to a subsea riser, and said method comprising:

with regard to claim 1,

a first stage of inducing elongation of said flow line (col. 1, line 67 through col. 2, line 2);

a second stage of fixing said joint end with respect to said seabed to maintain said flow line in its elongated position;

with regard to claim 2,

further comprising permitting characterized displacement of said joint end in the direction of elongation of said flow line and prohibiting displacement of said joint end in the an opposite direction;

with regard to claim 3,

further comprising guiding said joint end in translation during elongation of said flow line;

with claim 4,

further comprising a preliminary stage before said first stage comprising laying said flow line on said seabed and connecting said subsea riser to said flow line;

with regard to claim 5,

wherein said subsea riser is connected to the said joint end during said preliminary stage;  
and

with regard to claim 16,

further comprising extending said riser in a catenary.

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Maloberti et al. '137 disclose a system for starting up a flow line (3) suitable for conveying hydrocarbons, wherein:

with regard to claim 6,

said flow line (3c) extends over a seabed from a wellhead (2) and terminates at a joint end of said flow line, said joint end being suitable for connection to a subsea riser and said flow line being able to stretch;

a locking system (5) for fixing said joint end with respect to said seabed for maintaining said flow line in said stretched position after said flow line has been stretched;

with regard to claim 7,

wherein said locking system includes a unidirectional arresting device (8) operable to allow displacement of said joint end in a direction of elongation of said flow line and to prohibit displacement of said joint end in an opposite direction; and

with regard to claim 15,

further comprising a subsea riser having a free end; said subsea riser is extended in a catenary.

***Allowable Subject Matter***

6. Claims 8 through 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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7. As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

***Response to Arguments***

8. Applicant's arguments filed 22 June 2010 have been fully considered but they are not persuasive.

With regard to claim 1, Applicant argues Maloberti et al. '137 fail to teach the steps of inducing elongation of the flow line and fixing the joint end with respect to the seabed to maintain the flow line in its elongated position. The examiner contends the step of inducing elongation is expressly taught by the prior art (col. 1, line 67 through col. 2, line 2) and depicted in Figure 1 of the same wherein the flow line (3c) is depicted as taut.

With regard to claim 1, Applicant argues Maloberti et al. '137 fail to teach a flow line with a joint end suitable for connecting the flow line to the riser and fixing such joint end to the seabed to therewith maintain elongation in the flow line. The examiner first notes that Maloberti et al. '137 recognize the desired length of hose (3a, 3b, 3c and 3d) can be achieved by linking several partial lengths of hose (col. 4, lines 27 through 32). In light of this disclosure, the examiner finds a clear teaching in Maloberti et al. '137 for a flow line (3c) extending over the seabed from a wellhead (2) and terminating in a joint end (i.e., connector 10), wherein the joint end is suitable for connection to a riser (3d), and wherein the end of the flow line is fixed to the seabed to maintain elongation of the flow line.

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With regard to claim 2, Applicant argues Maloberti et al. '137 fail to teach the step of fixing the joint end of the flow line in a manner prohibiting displacement of the joint end in the direction opposite elongation. The examiner first notes that Maloberti et al. '137 recognize the desired length of hose (3a, 3b, 3c and 3d) can be achieved by linking several partial lengths of hose (col. 4, lines 27 through 32). In light of this disclosure, the examiner finds a clear teaching by Maloberti et al. '137 for the step of fixing the joint end of the flow line (3c) in a manner prohibiting displacement in a direction opposite elongation.

With regard to claim 3, Applicant argues Maloberti et al. '137 fail to teach the step of guiding the flow line in translation during elongation. The examiner contends the step is inherent to the prior art method.

### ***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to TARA MAYO-PINNOCK whose telephone number is (571) 272-6992. The examiner can normally be reached on Monday through Friday 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will can be reached on 571-272-6998. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/TARA MAYO-PINNOCK/  
Primary Examiner, Art Unit 3671

tmp  
25 August 2010